

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

**Re: ECF No. 9530**

(Jointly Administered)

**JOINT MOTION IN COMPLIANCE WITH ORDER [ECF NO. 9530] PROVIDING THE  
REQUIRED STATUS REPORT**

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Commonwealth of Puerto Rico (the “Commonwealth”) and Cuerpo Organizado de la Policía, Inc. (the “Movant” and with the Commonwealth, the “Parties”) respectfully submit this joint motion in compliance with this Court’s *Memorandum of Decision and Order Regarding COPI’s Rule 2004 Request* [ECF No. 9530] (the “Order”).<sup>2</sup>

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The Financial Oversight and Management Board for Puerto Rico, as the Commonwealth’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized the Department of Justice to file this Urgent Motion on behalf of the Commonwealth.

**Joint Status Report**

1. On December 10, 2019, this Court entered the Order [ECF No. 9530] in which it established the scope of Movant's Rule 2004 request. Essentially, the Court concluded that the Puerto Rico Police Bureau (the "PRPB") only had to produce the required information as to "each Police Officer who has not received payment from the Commonwealth, and for each Police Officer who has received payment from the Commonwealth but who has not executed a waiver" [ECF No. 9530 at 12]. Consequently, the Court ordered the Parties to meet and confer to: (1) "determine which documents the Debtor will produce to provide [the required] information" [ECF No. 9530 at 12]; and (2) "determine the number and identity of the Police Officers who have not received payment from the Commonwealth, and those who received payments but have not executed a waiver." [ECF No. 9530 at 12].

2. On December 17, 2019, Movant provided a list of fourteen (14) Police Officers, as such term is defined in the Order, that to the best of its knowledge have not executed a waiver to date. On that same date, the Commonwealth started a process to corroborate the list provided by Movant with the PRPB to confirm whether the Police Officers listed therein are within the categories that the Court ruled are entitled to production of documentation and information under Rule 2004.

3. On December 19, 2019, the Parties met and conferred in compliance with the Court's Order to discuss the underlying issues regarding the identity of the Police Officers that have not signed waivers and the documents that will be produced. As a result of the meeting, the Parties agreed to the following:

- a. The Commonwealth will validate the list of fourteen (14) Police Officers that was provided by the Movant to corroborate if some have signed waivers to date. Once

the Commonwealth corroborates the list of Police Officers, it will provide it to Movant so that it can corroborate the same.

b. Based on the final list agreed by the Parties, the Commonwealth will produce the following documentation with respect to the Police Officers that have not executed waivers to date:

i. Wage increase chart – The Movant agreed that it will provide the Commonwealth with a copy of this document so that the PRPB can identify it and inform of the existence and availability of the same.

ii. Cumulative Cards contained in the Police Officers Personnel File.

iii. PACE System or Payroll Report – PACE Report is not available for Police Officers that retired prior the adoption of said system but the Payroll Report will be provided for those Police Officers in lieu of the PACE Report, if so required.

4. The Parties will notify the Court jointly, on or before January 31, 2020, once the Commonwealth has produced the documentation requested, in light of the Order [ECF No. 9530] and the agreements reached by the Parties. The aforementioned date has been agreed due to the official holidays of the Government of Puerto Rico.

#### **Notice**

5. The Commonwealth has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Commonwealth's bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the

Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;<sup>3</sup> (i) all parties filing a notice of appearance in these Title III cases; and (j) Movant. A copy of the motion is also available on the Commonwealth's case website at <https://cases.primeclerk.com/puertorico/>.

6. The Commonwealth submits that, in light of the nature of the relief requested, no other or further notice need be given.

**WHEREFORE**, it is requested that the Court takes notice that the Parties met and conferred in compliance with the Order [ECF No. 9530], that the Proposed Order is entered and to grant such other relief as is just and proper.

Dated: December 26, 2019  
San Juan, Puerto Rico

Respectfully submitted,

**DENNISE N. LONGO-QUINONES**  
Secretary of Justice

**WANDYMAR BURGOS-VARGAS**  
Deputy Secretary in Charge of Litigation

**SUSANA PEÑAGARÍCANO-BROWN**  
Director of Legal Affairs  
Federal Litigation and Bankruptcy Division

/s/ Juan C. Ramírez-Ortiz  
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<sup>3</sup> The "Other Interested Parties" include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

**Exhibit A**

**Proposed Order**